

This facsimile message and its contents are legally privileged and confidential information intended solely for the use of the addressee. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, copying or other use of this message and its contents is strictly prohibited. If you have received this telecopy in error, please notify us immediately by telephone and return the original message to us at the address shown below via the Postal Service. Thank You.

**ALSTON & BIRD LLP**

3201 Beechleaf Court, Suite 600  
Raleigh, NC 27604-1062  
919-862-2200  
Fax: 919-862-2260

**TELECOPY****PLEASE DELIVER AS SOON AS POSSIBLE****Date:**

October 13, 2004

**Recipient:**

Missing Parts

**Company:**

USPTO

**Fax Number:**

703 746 4060

**Voice Number:****Sender:**

Leigh W. Thorne

**Message:**

Re: Appl. No. 10/780,296, filed February 17, 2004

Attached please find a Response to Notice to File Missing Parts (1 pg.); Part 2 of Notice to File Missing Parts (2 pgs.); and Declaration (3 pgs.)

Number of Pages: (including cover page)

7

**IF NOT RECEIVED PROPERLY, PLEASE NOTIFY US IMMEDIATELY AT.**

USER CODE:	THORL	REQUESTED BY:	Lynda, 2233
CLIENT/MATTER:		OPERATOR:	

RECEIVED  
OCT 14 2004  
OIPE/JCWS

Alston &amp; Bird

**BEST AVAILABLE COPY**



Attorney's Docket No. 5623-13

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Wilson et al.

Appl No.: 10/780,296

Confirmation No.: 9724

Filed: February 17, 2004

Group Art Unit: 1614

For: A<sub>1</sub> ADENOSINE RECEPTOR ANTAGONISTS

October 13, 2004

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts of Application dated May 13, 2004, enclosed are the following:

- ☒ Part 2 of Formalities Letter or Form PTO-1533  
(Notice to File Missing Parts of Application)
- ☒ Declaration and Power of Attorney for the above-identified application, which has been executed by the named inventor(s)
- ☒ Applicant claims small entity status
- ☐ Check in the amount of      to cover the filing fee of      and the surcharge under 37 C.F.R. § 1.16(e)
- ☐ English Translation and \$130.00 (37 CFR 1.17(i)) fee for filing late.
- ☐ Other:
- ☒ Any deficiency, additional fee, or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,

Leigh W. Thorne  
Registration No. 47,992

Customer No. 00826  
ALSTON & BIRD LLP  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000  
Tel Raleigh Office (919) 862-2200  
Fax Raleigh Office (919) 862-2260

## CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the US Patent and Trademark Office at facsimile number (703) 746-4060 on the date shown below.

  
Lynda-Jo PixleyOct. 13, 2004  
Date



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/780,296	02/17/2004	Constance Neely Wilson	5623-13

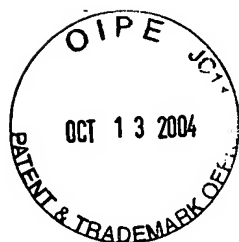
20792  
MYERS BIGEL SIBLEY & SAJOVEC  
PO BOX 37428  
RALEIGH, NC 27627

CONFIRMATION NO. 8724

## FORMALITIES LETTER

\*OC000000012610869\*

Date Mailed: 05/13/2004



## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.18(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

*A copy of this notice MUST be returned with the reply.*

OCT. -13' 04 (WED) 13:32

ALSTON & BIRD

TEL:9198622260

P. 004

Page 2 of 2

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE